



**DEPARTMENT OF THE AIR FORCE**  
**435TH AIRLIFT WING (USAFE)**

**MEMORANDUM FOR**

**FROM:** 435 MSS/DPCE  
Unit 3220, Box 365  
APO, AE 09094-0365

**SUBJECT:** Information for Employees Recalled to Military Active Duty

1. We offer the following to assist you as you enter active duty. The Federal Government is by far the largest single employer of members of the Armed Forces Reserves, and we as fellow Federal employees are proud of the dedication and commitment of the reservists in a time of international crisis. Our obligation is to make sure employees who perform active military duty are able to leave their employment temporarily with the knowledge that their affairs are in order and their rights protected. Federal law provides many important rights and benefits for Federal employees who perform active military duty.

a. **PAY.** Employees performing active military duty will receive compensation from the Armed Forces in accordance with the terms and conditions of their military enlistment or commission. They will not receive any compensation from their Federal employment unless they elect to use military leave or annual leave as described below and in attachment 1. On days of military leave or annual leave, the employees will continue receiving availability pay if they are criminal investigators, annual premium pay if they currently work administratively uncontrollable overtime (AUO) work, or premium pay for any regularly scheduled standby duty.

b. **MILITARY LEAVE.** Employees (except those working intermittent work schedules or on appointments limited to one year or less) who perform active military duty may request paid military leave, as specified in 5 U.S.C. 6323(a). Under the law, an eligible full-time employee accrues 15 days (120 hours) of military leave each fiscal year. In addition, an employee may carry over up to 15 days (120 hours) of unused military leave from one fiscal year to the next. When the 15 days of military leave that are carried over are combined with the 15 days of military leave accrued at the beginning of the new fiscal year, this produces a maximum military leave benefit of 30 days in a fiscal year. However, since an employee cannot carry over more than 15 calendar days to the next fiscal year, any unused military leave in excess of 15 days will be forfeited at the beginning of the next fiscal year. Eligible part-time career employees accrue military leave on a prorated basis. Employees who elect to use military leave will receive full compensation from their civilian position for each hour charged to military leave, in

addition to their military pay for the same period. Charges for military leave are made on an hour for hour basis for all hours the employee would have worked. Additional information on charging military leave can be found at OPM's website at [www.opm.gov/oca/leave/htm/military.htm](http://www.opm.gov/oca/leave/htm/military.htm) and in attachment 1. Employees who perform active military duty may be granted an additional 22 days of military leave under 5 U.S.C. 6323(b) if such leave is granted for the purpose of providing military aid to assist domestic civilian authorities to enforce the law or protect life and property.

c. **LUMP-SUM LEAVE PAYMENTS.** Employees who enter into active military duty may choose to (1) have their annual leave remain to their credit until they return to their civilian position, or (2) receive a lump-sum payment for all accrued and accumulated annual leave, or (3) use accrued annual leave (all or a portion). However, an agency must make a lump-sum payment for any restored annual leave under 5 U.S.C. 6304(d). Return to Active Federal Service. When an employee who has been on military duty returns to active Federal service prior to the end of the period covered by the lump-sum payment, the employee must refund an amount equal to the pay that covers the period between the date of reemployment and the expiration of the lump-sum leave period. Restored annual leave may not be reccredited to the employee's leave account. Further guidance on the repayment of a lump-sum payment can be found at <http://www.opm.gov/oca/leave/html/lumpsum.pdf>.

d. **LIFE INSURANCE, HEALTH INSURANCE, THRIFT SAVINGS PLAN (TSP):** Please see attachment 1 for information regarding these benefits. Any questions may be directed to the Benefits and Entitlements Service Team (BEST). For employees in Germany dial 99 from a DSN line then 0800-2255-288 for AT&T access followed by 800-997-2378 or at 1-800-997-2378 in the United States. Benefit counselors are available Monday – Friday from 7 A.M. to 7 P.M. Central Standard Time.

e. **RETIREMENT AND RESTORATION RIGHTS:** Please see attachment 1. You may address questions to your Employee Relations Specialist by calling (314) 480-2008 or commercial at 011-49-6371-47-2008. Please submit your application for reemployment to 435 MSS/DPCS, Bldg 2120, Room 125 or mail it to 435 MSS/DPCS, Unit 3220, Box 365, APO, AE 09094-0365 in accordance with the time frames identified in the Restoration Rights paragraphs of the attachment.

f. **APPEAL RIGHTS.** Employees entitled to restoration in connection with military duty may appeal an agency's failure to properly carry out the law directly to the Merit Systems Protection Board (MSPB), or the employee may first submit a complaint to the Department of Labor, which will attempt to resolve it. If resolution is not possible, the Department may present the case to the Office of the Special Counsel, which may represent the employee in an appeal to the MSBP. Appeals to the Board must be submitted within 30 calendar days after the effective date of the action being appealed. Employees in the intelligence agencies have substantially the same rights, except the appeals rights are as described in the Civilian Intelligence Personnel Management System, AFI 36-1101, 7.2.4 and DoD Manual 1400.34-M, Chapter 8.

2. We have included additional entitlements and items of interest covering your Federal employment at an overseas duty station.

a. ALLOWANCE PAYMENTS. Allowance payments will be suspended as of the day you begin receiving military allowances or enter non-pay status, whichever occurs first. Payments include living quarters allowance, post allowance, post differential, and danger pay, as applicable. Employees should contact their Reserve Unit regarding military entitlements.

b. TRANSPORTATION OF HOUSEHOLD GOODS (HHGs). The advance return shipment of all or any part of an employee's HHG (at Government expense), while the employee remains assigned at an OCONUS PDS, is authorized only in conjunction with, and under the same conditions as in par. C7003-D for the advance return of dependents. JTR C8505A.1. HHG returned to CONUS or the actual residence may not be shipped back to that OCONUS PDS during a continuous period of OCONUS employment unless the return to CONUS or the actual residence is for reasons beyond the employee's control and the shipment back to the OCONUS PDS is authorized/approved by the Headquarters of the DoD Agency concerned. If HHG are shipped back to the OCONUS PDS, a new transportation agreement is not required. JTR C8415

c. PRIVATELY OWNED VEHICLE (POV). Shipment of POV is not authorized during early return of dependents. Shipment is at personal cost. Once you, the sponsor, PCS, you may claim POV shipment on your voucher to receive government POV shipment reimbursement rate, if otherwise eligible. JTR C11002/11003

d. RETURN OF DEPENDENTS. Return travel of one or more of employee's dependents before the employee's return may be authorized to the employee's actual residence/alternate destination. Any cost in excess of the costs by the most economical route from the OCONUS PDS to the actual residence must be borne by the employee. Early return travel may be authorized when the OCONUS command concerned determines that it is in the Government's best interests to return one or more dependents for compelling reasons of a humanitarian/compassionate nature (examples: physical/mental health, death of any member of the immediate family, obligations imposed by authority, and other similar circumstances over which the employee has no control) [JTR C7003D1]. Dependent early return travel shall not be authorized more than once during each agreed period of OCONUS service. Dependent return travel at Government expense to the OCONUS PD is not authorized except when incident to renewal agreement travel by the employee (JTRC7003D3). Dependents shall not be authorized return transportation to the OCONUS PDS until the employee's renewal agreement travel under a new agreement. If any of the dependent's travel is after the employee's renewal agreement travel, that return travel to the OCONUS PDS must be completed within 6 months of the beginning of the employee's renewal agreement travel (JTR C7004B).

e. TOUR LENGTH. Per Air Force, the time Reservists spend in active duty status

due to recall will not be counted toward the length of the tour.

3. Any questions concerning your overseas entitlements, restoration rights, return to duty location, leave, or personnel actions process while you are in a nonpay status may be directed to your Employee Relations Specialist, by calling (314) 480-2008 or commercial at 011-49-6371-47-2008.

Linda E. Mohan  
Chief, Empl & Mgmt Svs Section

cc: 435 MSS/DPCS  
USAFE/CPO

2 Attachments:

1. AFPC Information for Employees Entering Military Active Duty  
<http://www.afpc.randolph.af.mil/dpc/BEST/res-emp-limit.htm>

Memorandum of Understanding – Overseas Entitlements  
[MOU-Reservists](#)

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Receipt Acknowledged

Date